

**REMARKS**

Upon entry of the foregoing amendment, Claims 1-7 and 9-13 are pending in this application. The Examiner rejected Claims 1-7 and 9-12 under 35 U.S.C. 103(a) and indicated that Claim 8 would be allowable if rewritten in independent form including all of the limitations of the base claim. Claim 8 has been cancelled and independent Claims 1, 11 and 12 have been amended to include the subject matter of cancelled Claim 8. New Claim 13 has been added in the foregoing amendment.

**Claim Rejections – 35 U.S.C. 103(a)**

The Examiner rejected Claims 1-7 and 9-12 under 35 U.S.C. 103(a). Independent Claims 1, 11 and 12 have been amended to include the subject matter of cancelled Claim 8, which was indicated as allowable. Claims 2-7, 9-10 and newly added Claim 13 depend from independent Claim 1. Thus, dependent Claims 2-7, 9-10 and 13 are also in condition for allowance.

**Comments on Reasons for the Indication of Allowable Subject Matter**

The Examiner's statement of reasons for the indication of allowable subject matter cite particular claim elements as being present in the independent claim. In particular, the reasons for the indication of allowable subject matter refer to 2.8 to 4.5% cobalt. However, Claim 8 did not recite a "2.8" to 4.5% cobalt. Rather, this claim recited "3.8" to 4.5% cobalt. To the extent that the Examiner's reasons for the indication of allowable subject matter suggest or state that certain limitations or combinations not found in the prior art are present in each and every claim whether or not specific language to that effect is found in every claim, it is noted that "the record as a whole" must be considered as a supplement to the statement of reasons for allowance, and to the extent that the record is clear and complete, it shall control the interpretation of any and all claims.

**CONCLUSION**

The foregoing is submitted as a complete response to the Office Action identified above. This application should now be in condition for allowance, and the Applicant solicits a notice to that effect. If there are any issues that can be addressed by telephone, the Examiner is asked to contact the undersigned at 404.685.6799.

Respectfully submitted,



By: Brenda O. Holmes  
Reg. No. 40,339

KILPATRICK STOCKTON LLP  
Suite 2800, 1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Our Docket: 44471-265266